

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CORNELIUS MADDOX,

Plaintiff,

v.

PETE ERICKSEN, *et al.*,

Defendants.

ORDER

10-cv-831-wmc

State inmate Cornelius Maddox filed this civil action pursuant to 42 U.S.C. § 1983, concerning the conditions of his confinement. Maddox was found eligible to proceed without prepayment of the filing fee under the federal *in forma pauperis* statute and he made an initial partial payment of that fee as required by the Prison Litigation Reform Act ("PLRA"), 28 U.S.C. § 1915(b). On July 25, 2013, the court granted defendants' motion for summary judgment and dismissed this case. The court denied Maddox's motion for reconsideration on October 16, 2013.

Because Maddox has not paid the \$455 docketing fee for filing an appeal, the court presumes that he requests leave to proceed without prepayment of that fee. However, Maddox has not provided financial information as required by 28 U.S.C. § 1915(a)(2), which requires every prisoner who files an appeal *in forma pauperis* demonstrating that he is currently eligible for indigent status. Accordingly, the court will deny Maddox leave to proceed *in forma pauperis* on appeal at this time.

To proceed, Maddox must file a properly supported motion for leave to proceed without prepayment of the appellate filing fee in compliance with 28 U.S.C. § 1915(a),

together with a certified copy of his inmate trust fund account statement (or institutional equivalent) for the preceding six months, within twenty days of the date of this order.


ORDER

IT IS ORDERED that:

1. The request by plaintiff Cornelius Maddox for leave to proceed *in forma pauperis* on appeal is DENIED at this time for failure to comply with 28 U.S.C. § 1915(a)(2).
2. For his appeal to proceed, Maddox must file a properly supported motion for leave to proceed without prepayment of the appellate filing fee in compliance with 28 U.S.C. § 1915(a)(2), together with a certified copy of his inmate trust fund account statement (or institutional equivalent) for the preceding six months, within **twenty (20) days** of the date of this order. Maddox is advised that if he does not comply as directed, the clerk of court will alert the Seventh Circuit, which may result in the dismissal of his appeal.

Entered this 11th day of December, 2013.

BY THE COURT:


PETER OPPENEER
Magistrate Judge